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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/606,255 | 06/25/2003 | Dino Makropoulos | 4877-105 | 4484 |

7590 04/18/2005

Alan I. Kalb
433 Woodlake Manor Drive
Lakewood, NJ 08701

EXAMINER

SELF, SHELLEY M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3725

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/606,255 | Applicant(s) MAKROPOULOS, DINO | |
| | Examiner Shelley Self | Art Unit 3725 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 is/are allowed.
- 6) ☒ Claim(s) 12-16 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on March 9, 2005 has been considered but is ineffective to overcome the prior art reference and an action on the merits follows.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 13-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 13 is unclear, Examiner understands a hinge to be a connection point between at least two elements, however the claim states only an element, the guide control unit having a hinge assembly, it is not clear what the hinge assembly is operatively connected to. Clarification is required.

Claims 14 –16 state, “*the hinge assembly*”, there is no antecedent basis for this limitations in the claims.

Claim 13 would be allowable if re-written to over come the 35 U.S.C. 112 rejection(s).

For the purposes of examination, claims 14-16 are understood to be dependent upon claim 13 and would accordingly be allowable if the 35 U.S.C. rejections were overcome and the dependency were corrected/clarified.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Wiley (4,516,612).

With regard to claims, Wiley discloses a tool table comprising: a table top assembly (10) a rectangular base assembly (24), a guide control unit and extendible work supports (22,23; figs. 1, 2); a portable table tool support bracket (fig.5) and a gear/(return & drive) sprocket assembly (146,148,150,152,154), hand crank (156) and chain (148) connected to the base in communication with the guide control unit (fig. 1), an adjustment lock (40, 42, 44, 46, 48) connected between the hand crank and the sprocket (fig. 5), a drive shaft connected between the hand crank(156) and the drive sprocket (152) (See fig. 5).

Examiner notes, claim 12 appears to be merely a re-write of the previously presented parent claim(s) with cancellation of the prior (Previous Office Action) indicated allowable subject matter (i.e., specifics of the guide control unit).

Allowable Subject Matter

Claim 18 is allowed.

Claim 17 is objected to as being dependent upon a rejected base claim.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record does not disclose a trolley rails mounted about the circumference of the base or a trolley connected to the guide control unit as set forth in claims 17 and 18.

The prior art reference, Wiley discloses a tool table comprising: a table top assembly (10) a rectangular base assembly (24), a guide control unit and extendible work supports (22,23; figs. 1, 2); a portable table tool support bracket (fig.5) and a gear/(return & drive) sprocket assembly (146,148,150,152,154), hand crank (156) and chain (148) connected to the base in communication with the guide control unit (fig. 1), an adjustment lock (40, 42, 44, 46, 48) connected between the hand crank and the sprocket (fig. 5), a drive shaft connected between the hand crank(156) and the drive sprocket (152). Wiley is silent to any trolley rails or trolley connected to the guide control unit. Accordingly, Wiley fails to disclose or fairly suggest the invention as set forth in claims 17 and 18.

Neither the prior art reference(s) nor any combination thereof discloses or fairly teaches the claimed invention as set forth in claims 17 and 18. Therefore, claim 17 contains allowable subject matter and would be allowable over the prior art of record if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if 35 U.S.C. 112 rejection(s) were overcome.

Accordingly, claim 18 stands allowable over the prior art of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (571) 272-4524. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular and After Final communications.

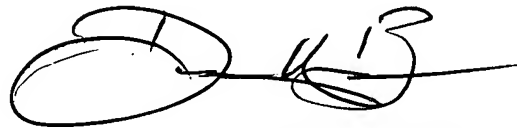
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIE or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSelf 
April 4, 2005



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